

Filing # 62217978 E-Filed 09/29/2017 04:25:24 PM

IN THE CIRCUIT COURT OF THE 19TH
JUDICIAL CIRCUIT, IN AND FOR
INDIAN RIVER COUNTY, FLORIDA

U.S. BANK NATIONAL ASSOCIATION,
NOT IN ITS INDIVIDUAL CAPACITY BUT
SOLELY AS TRUSTEE OF OWS REMIC
TRUST 2015-1,

Plaintiff,

vs.

CASE NO.: 31 2016 CA 000691

CHARLENE D. JACKSON;
UNKNOWN SPOUSE OF CHARLENE
D. JACKSON; GROVE ISLE AT
VERO BEACH CONDOMINIUM
ASSOCIATION, INC.; UNKNOWN
TENANT #1 IN POSSESSION OF
SUBJECT PROPERTY; UNKNOWN
TENANT #2 IN POSSESSION OF
SUBJECT PROPERTY; AND ALL
OTHER PARTIES HAVING OR
CLAIMING TO HAVE ANY RIGHT,
TITLE OR INTEREST IN AND TO
THE PROPERTY UNDER
FORECLOSURE HEREIN,

Defendant/s.

_____ /

CONSENT FINAL JUDGMENT OF FORECLOSURE

THIS ACTION came before the Court on the Parties' executed Stipulations for Consent to Entry of Final Judgment. Based on the evidence presented and being otherwise fully informed in the premises,

IT IS ORDERED AND ADJUDGED that:

1. Plaintiff, and Defendants Charlene D. Jackson and Grove Isle At Vero Beach Condominium Association, INC. have consented to entry of this final judgment.

2. AMOUNTS DUE: There is due and owing to the Plaintiff, U.S. BANK NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS TRUSTEE OF OWS REMIC TRUST 2015-1, at c/o Selene Finance LP 9990 Richmond Avenue, Suite 400 South, Houston Texas 77042, the following:

Principal due on the note secured by the mortgage foreclosed:	\$ <u>121,003.98</u>
Interest on the note and mortgage from December 1, 2011 to September 29, 2017 at 6.125%	\$ <u>40,495.74</u>

Escrow

Taxes: 1,535.14
escrow: 4,081.87

\$ 5,617.01

Other

Property Inspections
Lock Change
Debris removal

\$ 160.00

\$ 105.00

\$ 27.00

Total Fees

\$ 167,408.73

3. **Interest:** The total sum referenced in Paragraph 2 shall bear interest from this date forward at 5.17 %, the prevailing legal rate of interest.

4. **Lien on Property:** Plaintiff, holds a lien for the total sum specified in Paragraph 2 herein. The lien of the plaintiff is superior in dignity to any right, title, interest or claim of the defendants and all persons, corporations, or other entities claiming by, though, or under the defendants or any of them and the property will be sold free and clear of all claims of the defendants, with the exception of any assessments that are superior pursuant to sections 718.116 or 720.3085, Florida Statutes. The plaintiff's lien encumbers the subject property located in Indian River County, Florida and described as:

UNIT 306 BUILDING 4, GROVE ISLE AT VERO BEACH, A CONDOMINIUM PHASE ONE, ACCORDING TO THE DECLARATION OF CONDOMINIUM THEREOF, RECORDED IN OFFICIAL RECORDS BOOK 723, PAGE 711, PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA, AND AS AMENDED.

PROPERTY ADDRESS: 306 GROVE ISLE CIRCLE UNIT #306, VERO BEACH FL 32962

5. Sale of Property: If the total sum with interest at the rate described in Paragraph 1 and all costs accrued subsequent to this judgment are not paid, the Clerk of the Court shall sell the subject property to the highest bidder for cash at public sale on **November 16, 2017**, beginning at 10:00 A.M. after having first given notice as required by Section 45.031, Florida Statutes. The judicial sale will be conducted at online at the following website: **www.indian-river.realforeclose.com**. At least three (3) days prior to the sale, Plaintiff must pay the costs associated with the Notice of Publication. The party or their attorney shall be responsible for preparing, in accordance with section 45.031(2), Florida Statutes, and submitting the Notice of Sale to a legal publication. The original Notice of Sale and Proof of Publication must be filed with the Clerk of the Circuit Court at least 24 hours prior to the scheduled sale date. The public sale shall not be postponed or canceled without a court order. All orders postponing or canceling the sale must be filed with the clerk of court no later than 5:00 p.m. five (5) business days before the sale date. Counsel for plaintiff must be certain that all sale and clerk fees are paid and that the original proof of publication is filed no less than five (5) business days before the sale date. Failure to timely file the original proof of publication of the notice of sale and pay the sale and clerk fees will stop the sale. Additionally, the failure of plaintiff's counsel to pay the sale fee and properly and timely publish the notice of sale may result in sanctions against the plaintiff, plaintiff's counsel individually, and the law firm representing the plaintiff. Any electronic sale by the clerk shall be in accordance with the written administrative policy for electronic sales published by the clerk at the official website for the clerk and posted in the public areas of the clerk's offices.

6. Costs: Plaintiff shall advance all subsequent required costs of this action and shall be reimbursed for them by the Clerk if plaintiff is not the purchaser of the property for sale. If plaintiff is the purchaser, the Clerk shall credit plaintiff's bid with the total sum with interest and costs accruing subsequent to this judgment, or such part of it, as is necessary to pay the bid in full. The clerk shall receive the service charge imposed in Section 45.031, Florida Statutes.

7. Distribution of Proceeds: On filing the Certificate of Title, the Clerk shall distribute the proceeds of the sale, so far as they are sufficient, by paying: first, all of the plaintiff's costs; second, documentary stamps affixed to the Certificate, *unless the property is purchased by a third party bidder*; third, plaintiff's attorneys' fees; fourth, the total sum due to the plaintiff, less the items paid, plus interest at the rate prescribed in Paragraph 4 from this date to the date of the sale; and by retaining any remaining amount pending further Order of this Court.

8. Right of Possession/ Right of Redemption: On filing of the Certificate of Title, defendant and all persons claiming under or against defendant since the filing of the Notice of Lis Pendens shall be foreclosed of all estate or claim in the property, except as to claims or rights under chapter 718 or chapter 720, Florida Statutes, if any.

9. Upon filing of the certificate of title, the person named on the certificate of title shall be let into possession of the property. If any defendant or tenant remains in possession of the

property, an Order Granting the Motion For Writ of Possession shall be entered without further notice or hearing, subject to the purchaser's compliance with Section 83.561, Florida Statutes.

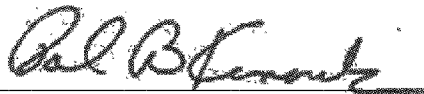
10. Jurisdiction Retained: The Court retains jurisdiction of this action to enter further orders that are proper, including, without limitation, orders authorizing writs of possession and an award of attorney's fees, to enter deficiency Judgments if the borrower has not been discharged in bankruptcy, post-judgment re-foreclosure proceedings to add any omitted party defendants and to enforce the adequate protection ordered if applicable.

IF THIS PROPERTY IS SOLD AT PUBLIC AUCTION, THERE MAY BE ADDITIONAL MONEY FROM THE SALE AFTER PAYMENT OF PERSONS WHO ARE ENTITLED TO BE PAID FROM THE SALE PROCEEDS PURSUANT TO THIS FINAL JUDGMENT. IF YOU ARE A SUBORDINATE LIENHOLDER CLAIMING A RIGHT TO FUNDS REMAINING AFTER THE SALE, YOU MUST FILE A CLAIM WITH THE CLERK NO LATER THAN 60 DAYS AFTER THE SALE. IF YOU FAIL TO FILE A CLAIM, YOU WILL NOT BE ENTITLED TO ANY REMAINING FUNDS.

IF YOU ARE THE PROPERTY OWNER, YOU MAY CLAIM THESE FUNDS YOURSELF. YOU ARE NOT REQUIRED TO HAVE A LAWYER OR ANY OTHER REPRESENTATION AND YOU DO NOT HAVE TO ASSIGN YOUR RIGHTS TO ANYONE ELSE IN ORDER FOR YOU TO CLAIM ANY MONEY TO WHICH YOU ARE ENTITLED. PLEASE CHECK WITH THE CLERK OF THE COURT AT (772) 770-5185 WITHIN TEN (10) DAYS AFTER THE SALE TO SEE IF THERE IS ADDITIONAL MONEY FROM THE FORECLOSURE SALE THAT THE CLERK HAS IN THE REGISTRY OF THE COURT.

IF YOU DECIDE TO SELL YOUR HOME OR HIRE SOMEONE TO HELP YOU CLAIM THE ADDITIONAL MONEY, YOU SHOULD READ VERY CAREFULLY ALL PAPERS YOU ARE REQUIRED TO SIGN, ASK SOMEONE ELSE, PREFERABLY AN ATTORNEY WHO IS NOT RELATED TO THE PERSON OFFERING TO HELP YOU, TO MAKE SURE THAT YOU UNDERSTAND WHAT YOU ARE SIGNING AND THAT YOU ARE NOT TRANSFERRING YOUR PROPERTY OR THE EQUITY IN YOUR PROPERTY WITHOUT THE PROPER INFORMATION. IF YOU CANNOT AFFORD TO PAY AN ATTORNEY, YOU MAY CALL FLORIDA RURAL LEGAL SERVICE – FORT PIERCE OFFICE, 510 SOUTH US HIGHWAY 1, SUITE 1, FORT PIERCE, FLORIDA 34948, (772) 466-4776, TO SEE IF YOU QUALIFY FINANCIALLY FOR THEIR SERVICES. IF THEY CANNOT ASSIST YOU, THEY MAY BE ABLE TO REFER YOU TO A LOCAL BAR REFERRAL AGENCY OR SUGGEST OTHER OPTIONS. IF YOU CHOOSE TO CONTACT FLORIDA RURAL LEGAL SERVICE – FORT PIERCE OFFICE, (772) 466-4776, FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

DONE AND ORDERED at Vero Beach, Indian River County, Florida, on September 29, 2017.



PAUL B. KANAREK, Circuit Judge

cc; Debbie Satyal, Esq., debbie.satyal@arlaw.com
 Jacob E. Ensor, Esq., foreclosures@reblawpa.com
 Charlene D. Jackson, 1610 S. Deer Heights Road, APT I- 11, Spokane, WA 99224
 Tenant, 306 Grove Isle Circle Unit #306, Vero Beach FL 32962

AMERICANS WITH DISABILITIES ACT. IT IS THE INTENT OF THE 19TH JUDICIAL CIRCUIT TO PROVIDE REASONABLE ACCOMMODATIONS WHEN REQUESTED BY QUALIFIED PERSONS WITH DISABILITIES. IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS AN ACCOMMODATION TO PARTICIPATE IN A COURT PROCEEDING OR ACCESS TO A COURT FACILITY, YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE. PLEASE CONTACT: COURT ADMINISTRATION, 250 NW COUNTRY CLUB DRIVE, SUITE 217, PORT SAINT LUCIE, FL 34986; (772) 807-4370; 1-800-955-8771, IF YOU ARE HEARING OR VOICE IMPAIRED.